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MEMORANDUM FOR: Executive Officer, Office of Personnel 175

SUBJECT: Disability Retirement

REFERENCE: Morning Meeting Notes,  
dated 2 November 1959

1. This memorandum is in response to the instruction presented in paragraph 1 a of reference.

2. Chief, Benefits and Counseling Branch informally contacted

always been cooperative in retirement matters requiring special or secure handling.

3. The question submitted to [ ] was expanded into the following hypothetical situation:

The Agency recruits and trains an employee specifically for overseas assignment although he may have skills that qualify for certain departmental positions. At some point in time, either before overseas assignment or after an overseas assignment, he is medically disqualified for failing to meet Agency standards for overseas assignment although he is medically qualified for departmental duty. Does the employee qualify for disability retirement?

4. After checking with the doctor who is Chief, Disability Retirement Section, [ ] reported that the employee in our hypothetical case would qualify for disability retirement. He explained that since the employee fails to meet the Agency's rigid medical standards for overseas duty in a specific employment capacity and since the employee's principal value to the Agency is in that same employment capacity, he is disabled

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25X1A even though he technically qualifies for other departmental positions. [ ] suggested that each such case be fully documented on submission since each case is considered on its own merits.

5. If this answer is not completely responsive to paragraph 1 a of reference, we shall again review the matter.

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[ ]  
Chief, Benefits and Services Division

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0 7-4 - Addressee  
1 - BCB  
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OP/BSD, [ ] af(13 November 1959)

Addendum

25X1A 6. As a result of discussions with the Assistant Executive  
25X1A Officer and because the hypothetical situation recited in paragraph 3  
above appeared to cover only one specific class of personnel, i. e.,  
the Commo Tech, C/BCB submitted a new situation to [ ]  
that would include a greater class, particularly within DD/P. The  
following situation was submitted to [ ] on 19 November 1959:

The Agency recruits and trains an employee for a service that will include assignment both in headquarters and overseas. The Agency expects this employee to rotate regularly between headquarters and overseas, e. g., one tour overseas and one or two tours in headquarters, then another tour overseas, etc. At some point, the employee is medically disqualified for overseas duty, making impossible the contemplated rotation. Without such rotation, the employee's value to the Agency may diminish. Does he qualify for disability retirement?

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Addendum Continued

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7. On 9 December 1959, [ ] reported that he had discussed the new situation with Dr. Chapin, the Commission's Medical Director. Dr. Chapin feels that the employee in our situation does qualify for disability retirement if the Agency certifies that the described rotation is a basic part of the individual's employment.

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8. [ ] again stressed that the determinations made on our two hypothetical situations were generalizations only and that each case will be considered on its own merits.

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